

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATALIYA SIDOLI,

Plaintiff,

v.

YOUTUBE LLC, et al.,

Defendants.

Case No. 3:25-cv-05038-TLT

ORDER TO SHOW CAUSE/MOTION TO
DISMISS FIRST AMENDED COMPLAINT
HEARING DATE: AUGUST 26, 2025, 2:00
PM [IN PERSON]

Re: Dkt. No. 61

On July 18, 2025, Defendant filed a Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) (“Motion”). ECF 61. Defendant indicated that it served Plaintiff the Motion via mail that same day. ECF 61-6. Pursuant to Civil Local Rule 7-3(a), Plaintiff’s opposition was due 14 days after the motion was filed, which was August 1, 2025.

To date, Plaintiff has not filed an opposition or statement of non-opposition. The Federal Rules of Civil Procedure grant the Court the inherent power sua sponte to dismiss an action for failure to prosecute under Rule 41(b): “(b) If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it. Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19 operates as an adjudication on the merits.”

Therefore, absent good cause, failure to file a response and failure to appear on the date of the scheduled hearing date may result in a dismissal for failure to prosecute. *See* Fed. Rules of Civ. Proc. 41(b); *see also* Judge Thompson’s General Standing Order ¶ 1 (“Parties and counsel shall follow the Federal Rules of Civil Procedure, Civil Local Rules, and the General Orders of the

Northern District of California, except as superseded by this Court's standing orders. Any failure to comply with any of the rules and orders may be deemed sufficient grounds for monetary sanctions, dismissal, entry of default judgment, or other appropriate sanctions.")

Accordingly, the Court **ORDERS** Plaintiff, **on or before August 7, 2025**:

1) to **file an opposition** or statement of non-opposition to the pending Motion, and

2) to **file a response** to this order to show cause explaining why the opposition was not timely filed. Should an opposition be filed, Defendant may file a reply on or before August 13, 2025.


Again, absent good cause, failure to file a response and failure to appear on the date of the scheduled hearing date may result in a dismissal for failure to prosecute. *See* Fed. Rules of Civ. Proc. 41(b).

The parties are ordered to appear in Department 9 on August 26, 2025, at 2:00 PM.

Plaintiff is encouraged to seek free legal assistance from the Legal Help Center located in the San Francisco courthouse. The Legal Help Center will not represent you as your lawyer but can provide basic legal assistance at no cost. You can schedule an appointment by calling 415-782-8982 or emailing FedPro@sfbar.org. You can find more information at <https://cand.uscourts.gov/pro-se-litigants/>. The court also has a free guide Representing Yourself in Federal Court: A Handbook for Pro Se Litigants, which provides instructions on how to proceed at every stage of the case, including discovery, motions, and trial. You can access it online (https://www.cand.uscourts.gov/wp-content/uploads/2023/03/Pro_Se_Handbook_4-2024_MBB.pdf) or in hard copy free of charge from the Clerk's Office.

IT IS SO ORDERED.

Dated: August 5, 2025


TRINA L. THOMPSON
United States District Judge